In re U.S. Patent Application of	)
FUJIMOTO	) Art Unit 2186
Application Number: 10/067,332	Examiner  KIM, Hong Chong
Filed: February 7, 2002	)
For: Storage System, Disk Control Cluster and A Method of Increasing Of Disk Control Cluster	) ) )
Attorney Docket HITA.0162	<b>'</b>
Honorable Assistant Commissioner for Patents	
Washington, D.C. 20231	

## TERMINAL DISCLAIMER

Sir:

I, Stanley P. Fisher/Juan Carlos A. Marquez, represent that I am the attorney of record for the above-identified application.

The invention has been assigned to Hitachi, Ltd., who is the owner by assignment of the entire right and title of the above-captioned patent application.

Hitachi, Ltd. is also the owner of the entire right and title to US Patent App. No. 10/222,831 by assignment, and hereby disclaims the terminal part of any patent granted on the above-captioned patent application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of US Patent App. No. 10/222,831, and hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to US Patent App. No. 10/222,831, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

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No rights available under the provisions of 35 U.S.C. § 155 and 156 are hereby waived.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of US Patent App. No. 10/222,831, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, if found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully submitted,

Stanley P. Fisher Registration No. 24,344

Juan Carlos A. Marquez Registration Number 34,072

REED SMITH LLP

3110 Fairview Park Drive, Suite 1400 Falls Church, Virginia 22042 (703) 641-4200

July 30, 2004

SPF/JCM/JT